

MONTANA LEGISLATIVE HISTORY

Chapter 105 19 75

Bill H _____ S 420

Original bill & history ✓ c

H. Committee on Bus & Labor

S. Committee on Bus & Ind.

Hearing Date(s) h 3/07 _____ c

Hearing Date(s) h 2/17 _____ c

v 3/07 _____ c

v 2/17 _____ c

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_____ c

Date Out _____ c

Did this bill originate in an interim committee? _____ Yes _____ No

Committee _____

Report _____

1
2 INTRODUCED BY Griffith SENATE BILL NO. 400

3 BY REQUEST OF THE SENATE BUSINESS AND INDUSTRY COMMITTEE

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING REQUIREMENTS FOR FLOW-THROUGH HOT
6 SPRINGS POOLS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

7
8 STATEMENT OF INTENT

9 A statement of intent is required for this bill because the bill gives the department of health and
10 environmental sciences authority to adopt administrative rules. It is the intent of the legislature that in
11 adopting rules to implement [section 1], the department consult with flow-through hot springs pool owners.
12 The rules should set out standards for hot springs pools maintained at or near 105 degrees F and used
13 primarily for soaking, pools under 100 degrees F and used primarily for swimming, and shallow pools
14 designed primarily for young children.

15
16 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

17
18 NEW SECTION. **Section 1. Special requirements for flow-through hot springs pools.** In addition
19 to the other requirements of this chapter and rules promulgated under this chapter, flow-through hot springs
20 pools must meet the following requirements:

21 (1) The temperature of the pool water must be less than 105 degrees F.

22 (2) The water must have sufficient clarity at all times so that a black disc, 6 inches in diameter,
23 is readily visible when placed on a white field at the deepest point of the pool.

24 (3) The pool water must be maintained at a pH of no less than 7.2 and not greater than 8.5.

25 (4) The pool must provide sufficient water volume exchange to produce an 8-hour turnover of the
26 entire volume of pool water to waste. In addition:

27 (a) the pool, and all surfaces that flow into the pool, must be drained, cleaned, and sanitized every
28 72 hours; or

29 (b) the pool must be disinfected, and a chlorine residual of 1 to 3 parts per million or a bromine
30 residual of 3 to 6 parts per million must be maintained in the pool at all times.

(5) Signs must be prominently posted that specify pool rules and special health hazards associated with swimming or bathing in flow-through hot springs pools. The contents of the signs must be determined by department rule. The department, in developing rules under this section, shall consult with flow-through hot springs pool owners.

NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an integral part of Title 50, chapter 53, part 1, and the provisions of Title 50, chapter 53, part 1, apply to [section 1].

NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

-END-

MINUTES

MONTANA SENATE
54th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS & INDUSTRY

Call to Order: By CHAIRMAN JOHN HERTEL, on February 17, 1995, at
8:00 a.m.

ROLL CALL

Members Present:

Sen. John R. Hertel, Chairman (R)
Sen. Steve Benedict, Vice Chairman (R)
Sen. William S. Crismore (R)
Sen. C.A. Casey Emerson (R)
Sen. Ken Miller (R)
Sen. Mike Sprague (R)
Sen. Gary Forrester (D)
Sen. Terry Klampe (D)
Sen. Bill Wilson (D)

Members Excused: N/A

Members Absent: N/A

Staff Present: Bart Campbell, Legislative Council
Lynette Lavin, Committee Secretary

Please Note: These are summary minutes. Testimony and
discussion are paraphrased and condensed.

Committee Business Summary:

Hearing: SB 376, SB 380, SB 400, SB 405
Executive Action: SB 376 DO PASS
SB 400 DO PASS AS AMENDED
SB 332 DO PASS AS AMENDED
SB 380 DO PASS AS AMENDED
SB 405 DO PASS AS AMENDED

HEARING ON SB 376

Opening Statement by Sponsor:

SEN. CHRIS CHRISTIAENS, SD 23, Great Falls, presented SB 376, an
act that would provide for the regulation of the self-funded
Multiple Employer Welfare Arrangement (MEWA), and required other
provisions with that regulation.

HEARING ON SB 400Opening Statement by Sponsor:

SEN. LORENTS GROSFIELD, SD 13, Big Timber, stated this was a muskrat bill. The bill was before them because of the muskrats. The story went that a muskrat got into a swimming pool and swam around. Everyone scrambled out and the muskrat jumped out; everyone got back in and the muskrat jumped back in and bit someone, and he guessed that came to the attention of the Department of Health. The Department arrived and checked on the pool and considered the flow-through hot streams to be pools throughout the State of Montana. They had regulations regarding swimming pools in the state. He said the problem there was a kind of pool that was different from those mentioned in the codes as hot springs were flow-through pools. He contended those were pools that had no boilers because they were naturally heated and had natural mineral water.

SEN. GROSFIELD stated throughout history people had come to those pools for the mineral value of the water. He reported there were two or three things very distinctive about those pools. He said the water flowed through in such a manner that the entire volume of water was replaced frequently, a couple times a day. He explained the swimming pool rules required a significant amount of chlorine in all public pools. He maintained if one put all that chlorine in those flow-through pools it would put a tremendous amount of chlorine into the ground water. He declared those were natural pools and people came to those pools for medicinal type reasons and added chlorine in a natural pool would devastate the business. He reported SB 400 was to address flow-through pools specifically. He said the water in those pools was at 105 degrees or less. He also stated the bill required the entire volume of water be replaced 3 times a day, the pool be drained, cleaned, and sanitized every 72 hours or one must use the chlorine, and that signs had to be placed around the pool.

Proponents' Testimony:

John Rebenberg, Fort Benton, stated SB 400 allowed the hot springs and flow-through pools to operate in a natural safe manner. Those pools had been around forever and they knew they had to maintain them in a safe manner; the owners were willing to police themselves and keep them up.

Dale Taliaferro, Montana Department of Health and Environmental Sciences, stated they worked with the industry to develop those standards and they believed they protected safety and took into consideration the unique characteristics of the pools.

Mike Art, Chico Hot Springs, contended they were proud of their industry. They didn't want to lower their standards and were concerned about the health and safety of their guests. They were in business, they didn't want anyone coming to a dirty pool or

getting sick. Chlorinating their water would be virtually impossible and expensive.

Elizabeth Bruskotter, Jackson Hot Springs, asserted they advertised themselves as a natural hot springs pool. They wanted to preserve and maintain that status and the bill would accommodate that.

Ronald Page, Bozeman Hot Springs, maintained their customers appreciated the natural flow-through water as opposed to the chemically treated pools. **Mr. Page** stated the bill addressed not only the chlorine aspects but also the pH level.

Barb Reiter, Boulder Hot Springs, said visitors world-wide appreciated the natural water. They were currently following the proposed rules in SB 400.

Gene Gudmundson, Montana Mineral Springs Association, also a chiropractor, commented they wanted the healthiest possible water. They thought the 105 degree temperature should have a variance. He would hate to see a situation if the Health Department found a pool at 106 degrees and closed the pool until it cooled off. He said for twenty years or more their pool had kept their inside hot pool at 106, give or take a degree. He maintained, overall, SB 400 was an excellent bill and solved a lot of problems.

Stuart Doggett, Montana Inn Keepers Association, stated they supported SB 400. He said it represented a fair minded regulation of pools and restricted the unique nature of flow-through pools and their importance in our tourism economy.

Opponents' Testimony: None.

Questions From Committee Members and Responses:

SEN. EMERSON asked **SEN. GROSFIELD** if he was concerned the next thing they would have was controlled lakes and ponds and then the old swim hole; and **SEN. GROSFIELD** replied, to some extent, they were already there. They had water quality standards for all bodies of water in Montana. He said all water was subject to water quality standards. As far as the beach front at the popular swim hole, he didn't know. **SEN. EMERSON** stated perhaps they should stop it here, pass a law that said flow-through pools were there, forget about them, let the people who run them take care of them, and get the government out of their hair. **SEN. GROSFIELD** stated there probably was room for some lenience. He said if the temperature was too hot, people wouldn't go in. He expressed the 72 hour maximum, he didn't know if that was the right number; but no one wanted a pool which was not sanitized at least once in a while.

{Tape: 2; Side: A}

SEN. EMERSON commented if they were too hot, most people had enough brains to stay out of them.

SEN. BENEDICT asked Dale Taliaferro what would be the position of the Department of Health if they amended the bill to state the temperature of the pool water must be at or near 105 degrees but no more than 107 degrees. Mr. Taliaferro stated they would not recommend that. He had asked their consulting physician and the answer he received was if it was above 105 degrees there was a tendency to stay in the water long enough to let your body's blood temperature come up to that temperature level which created a coma, similar to what would be seen with a fever at that level. Mr. Taliaferro contended intoxicated persons and small children would be in danger if they stayed in the water too long.

SEN. BILL WILSON asked SEN. GROSFIELD if he didn't see anything in the bill that addressed the problem with the muskrat getting in the pool.

SEN. EMERSON asked Mr. Taliaferro about the reference to the coma danger and how many cases had there been in the last 100 years? Mr. Taliaferro replied there had only been one drowning in a hot pool and he did not know what caused it.

Closing by Sponsor:

SEN. GROSFIELD stated the owners of those pools wanted clean pools. The last thing they desired were rumors their pools were contaminated and he declared the health aspects were in their best interest and they understood that very well. They were talking about natural waters and what appealed to the public.

EXECUTIVE ACTION ON SB 400

Motion: SEN. FORRESTER MOVED SB 400 DO PASS.

Discussion: SEN. WILSON suggested the temperature be amended.

Motion: SEN. BENEDICT MOVED TO AMEND THE TEMPERATURE TO 106° ON LINE 12 AND 26.

Discussion: SEN. BENEDICT explained the reason for that was the bill read the temperature of the pool must be less than 105°, so if they changed that to 106°, then the pool would be able to have a temperature of 105°. He stated the way the bill was written right now the temperature could only be up to 104°. He said that gave a little latitude to run the pools at 105°.

John Rabenberg stated it would be more advantageous if the wording were changed to say "106° or less". It had been his understanding it would be changed. SEN. HERTEL stated it had

been discussed with the sponsor but he was not sure why it had not been changed.

Motion: SEN. BENEDICT WITHDREW HIS MOTION AND OFFERED A SUBSTITUTE MOTION TO AMEND THE BILL TO READ "106° OR LESS".

Discussion: SEN. EMERSON stated he felt the whole line should be removed and he saw no reason for it. If people didn't have sense enough to keep out of a pool that was too hot, it was really their problem.

Vote: The motion to AMEND SB 400 CARRIED UNANIMOUSLY on voice vote.

Motion/Vote: SEN. FORRESTER MOVED SB 400 DO PASS AS AMENDED. The motion CARRIED UNANIMOUSLY on voice vote.

EXECUTIVE ACTION ON SB 332

Discussion: CHAIRMAN JOHN HERTEL stated SEN. JEFF WELDON had a concern he would like to bring to the committee's attention.

SEN. WELDON explained this was the mobile home park issue. He was there to request them to take it off the table and put some amendments on it. The amendments would keep the issue of selling the homes the people actually owned and leaving the roads for emergency services.

SEN. KLAMPE asked if that addressed the parks not having to have more than one access. SEN. WELDON stated the amendments strike that requirement.

Motion/Vote: SEN. WILLIAM CRISMORE MOVED TO TAKE SB 332 OFF THE TABLE FOR RECONSIDERATION. The motion CARRIED 7-2 WITH SEN. MILLER and SEN. FORRESTER voting "NO".

Motion: SEN. BENEDICT MADE A MOTION TO ADOPT THE AMENDMENTS, SB033201.ABC, EXHIBIT #6.

Discussion: Bart Campbell explained the amendments deleted Page 1, line 15 through Page 3, line 1, striking section 1 in its entirety. He said the amendments deleted on Page 3, line 26 starting with "More" and ending "._" on line 27.

SEN. BENEDICT stated this just left section 2 of the bill which provided for access by emergency vehicles.

SEN. MILLER stated he was opposed to the bill and the amendments because it still addressed the sale of a mobile home. That was a local problem and should not be addressed on the state level.

DATE

February 17, 1995

SENATE COMMITTEE ON

Business & Industry

BILLS BEING HEARD TODAY:

SB 376 Senator Christensen
 SB 380 Senator Jacobson SB 400 Senator Grayfield
 SB 405 Senator Jacobson

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Check One

Name	Representing	Bill No.	Support	Oppose
Lloyd Lockrem	Mont. Cent.	376	X	
Rick Larson	FBSMS	376	X	
TIM FILZ	ASSOC. EMPLOYERS - RTW	376	X	
Diane Ruff	Assoc. Employers	376	X	
Cynthia Brooks	MDHCS	400		
Bob Barkin for Linda Miranda	Ballantyne Medical Managers Association	SB 376	X	
GENE M. GUDMUNDSON	MONTANA MINERAL SPRINGS ASSOCIATION	400	X	
Riley Johnson	NFIB	380 408	X	
Brad Griffin	MT Retail Assoc.			
Dan Spauld	ST Creditors	376	X	
LARRY AICEY	MT ASSOC OF LIFE UNDERWRITERS	376 380 405	X	
Claudia Clifford	State Auditor's	405 380	X	
Michael AET	CHICO HOT SPRINGS	400	X	
TANYAISK	Blue Green Blue Shred	380 405	X	

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

DATE

February 17, 1995

SENATE COMMITTEE ON

Business and Industry

BILLS BEING HEARD TODAY:

SB 376 Senator Christensen
 SB 380 Senator Jacobson
 SB 405 Senator Jacobson
 SB 400 Senator Christensen

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Check One

Name	Representing	Bill No.	Support	Oppose
COREG SAKS	CHICO HOT SPRINGS	400	X	
SAN MARTINEZ	MDHES	400	X	
Jerry Driscoll	EBMS	376	X	
DEAN RANDASH	NAPA AUTO PARTS	380		X
DEAN RANDASH	NAPA AUTO PARTS	405		X
Anita Bennett	MT Logging Assn	405	X	
Elizabeth Brustetter	Jackson Hot Springs Inc	400	X	
Ronald Page	Bozeman Hot Springs	400	X	
Bob Freyler	SD 21	405 380	X	
John Huber	Fort Peck	400	X	
Helen Christensen	MT State AFL-CIO	405 380	X X	
TOM BILCODEAU	MEA	380 405	X	
DALE TALARENKO	MDHES	400	X	
Steve Turkiewicz	MT Assn Health Care Purchasers	405		X
Stuart Doyse	MT Truckers Assn	400	X	

VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

DATE Feb 17, 1995

SENATE COMMITTEE ON Business & Industry

BILLS BEING HEARD TODAY: SB 376 Senator Christensen

LB 380 Senator Jacobson

DB 405 Senator Jacobson

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VISITOR REGISTER

PLEASE LEAVE PREPARED STATEMENT WITH COMMITTEE SECRETARY

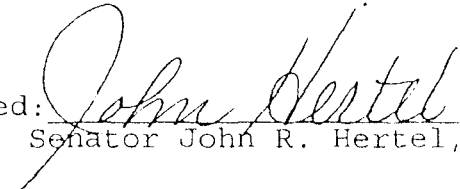
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SENATE STANDING COMMITTEE REPORT

Page 1 of 1
February 17, 1995

MR. PRESIDENT:

We, your committee on Business and Industry having had under consideration SB 400 (first reading copy -- white), respectfully report that SB 400 be amended as follows and as so amended do pass.

Signed: 
Senator John R. Hertel, Chair

That such amendments read:

1. Page 1, line 12.

Strike: "or near 105"

Insert: "106"

Following: "F"

Insert: "or less"

2. Page 1, line 21.

Strike: "less than 105"

Insert: "106"

Following: "F"

Insert: "or less"

-END-


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Amd. Coord.
Sec. of Senate

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MINUTES

MONTANA HOUSE OF REPRESENTATIVES 54th LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS & LABOR

Call to Order: By CHAIRMAN BRUCE T. SIMON, on March 7, 1995, at 8:00 A.M.

ROLL CALL

Members Present:

Rep. Bruce T. Simon, Chairman (R)
Rep. Norm Mills, Vice Chairman (Majority) (R)
Rep. Robert J. "Bob" Pavlovich, Vice Chairman (Minority) (D)
Rep. Vicki Cocchiarella (D)
Rep. Charles R. Devaney (R)
Rep. Jon Ellingson (D)
Rep. Alvin A. Ellis, Jr. (R)
Rep. David Ewer (D)
Rep. Rose Forbes (R)
Rep. Jack R. Herron (R)
Rep. Bob Keenan (R)
Rep. Don Larson (D)
Rep. Rod Marshall (R)
Rep. Jeanette S. McKee (R)
Rep. Karl Ohs (R)
Rep. Paul Sliter (R)
Rep. Carley Tuss (D)
Rep. Joe Barnett (R)

Members Excused: None.

Members Absent: None.

Staff Present: Stephen Maly, Legislative Council
Alberta Strachan, Committee Secretary

Please Note: These are summary minutes. Testimony and discussion are paraphrased and condensed.

Committee Business Summary:

Hearing: SB 151, SB 80, SB 392, SB 400,
Executive Action: HB 574, SB 400, SB 80, SB 375, SB 384,
SB 22, SB 242, SB 19, SB 201, SB 38

opportunities for Montana more than any other state. Montana has the longest border between Canada and U.S. of any state in the nation and with the timber supply problems in Montana the potential for exporting timber of Canada into Montana exists.

Vote: Motion carried 18-0 on SB 392.

HEARING ON SB 400

Opening Statement by Sponsor:

SEN. LORENTS GROSFIELD, SD 13, Sweet Grass County, said this bill was an act providing requirements for flow-through hot springs pools.

Proponents' Testimony:

John Raybenberg, Hot Springs Association, said this bill would allow the pools to operate in a safe and natural way. This bill would take care of the safety of the people and also take care of the operators under these circumstances. The bill is well written.

Michael Art, Chico Hot Springs, said they have owned this facility for 23 years. They are proud of the impact they have had on tourism in Montana and the key to that is natural hot springs.

Ron Page, Bozeman Hot Springs said he and his family have owned this facility for 45 years. They have a clientele which ranges from tourist travel to mostly Montanans coming for rest, relaxation, family entertainment and recreation. There are also others who use the facility for non-stress aerobic exercise and rehabilitation. The various temperatures of pools is an asset. The temperatures are comfortable to swim in. There is also a cool bath, hot bath, hot tub temperature and even a little bit hotter. There are 400,000 gallons of water flowing through the pools every day.

Barbara Reiter, Boulder Hot Springs, said she supported this bill and she has had people from all over the world to visit their springs. These people are accustomed to not having chemicals in the waters. It would be very harmful to do that. It would not be productive to their business and the attraction of tourism to the state.

Ray Honey, Lost Trail Hot Springs, said their pools have had problems over the years. They contribute greatly to the tourism issue. He finds it difficult to understand why pool owners should be forced to adjust their chemicals. Their pool was built in 1940 and they have been having twelve-hour pool turn-over rates since 1940. There has never been a problem with that.

Elizabeth Bruskoffe, Jackson Hot Springs Lodge, said they were located in the Big Hole Valley. She said they supported this bill.

Gene Goodmanson, White Sulphur Springs Spa and Hot Springs Motel, said he was a doctor of chiropractic. He said he had a vital interest in the health aspects for the people who use these pools. He said people in his area emphatically do not have health problems. The pool is drained and cleaned every day and there are no health problems on a bacteriological standard, by the temperature of the water.

Stuart Doggett, Montana Innkeepers Association, said they support this bill. It provides fair regulation for a very unique industry and an important segment in the tourism economy.

Opponents' Testimony:

Bob Robinson, Director, Department of Health and Environmental Sciences, provided testimony regarding the temperature control in commercial hot springs which included information on body temperature regulation in heated environments; adverse health effects and temperature standards for spas and hot springs.

EXHIBIT 2. He also supplied some suggested health and safety guidelines for public spas and hot tubs. **EXHIBIT 3**

Questions From Committee Members and Responses:

REP. PAVLOVICH questioned the turnover of the water and the temperature. **SEN. GROSFIELD** said most of the pools in the state have the capability of turning over in eight hours. There are a couple that don't. It is a health issue. This bill as introduced was a compromise package. Regarding the temperature, the Department originally agreed to 105 degrees.

REP. KARL OHS asked if there were problems with the temperature. **Mr. Raybenberg** said there were some pools running over 106 degrees, but the problem arises when the temperature is less because the patrons do not get the satisfaction needed in a cooler pool. The temperature has not been a problem.

REP. CARLEY TUSS asked if signs could be created that would cover the concerns or would that be cumbersome to the business. **SEN. GROSFIELD** said the sign posting has been developed. There have been instances of people falling asleep in hot tubs.

REP. COCCHIARELLA questioned the rulemaking authority. **SEN. GROSFIELD** said the temperature now was 106 degrees. The statement of intent does mention rulemaking. That goes to the creation of signs.

REP. JOE BARNETT said there was concern expressed on the temperature. **Mr. Page** said he was against the temperature change because the pools around hot springs differ quite greatly between

a normal hot tub that is located in a motel or health club. Most hot springs have numerous soaking pools with numerous temperatures. It is not the tendency to stay in one pool that is too warm for too long. There are cool water pools. The normal swimming pool range for an outdoor heated pool is 75 degrees.

Closing by Sponsor:

The sponsor closed.

EXECUTIVE ACTION ON HB 574

Motion: REP. MILLS MOVED HB 574 BE REMOVED FROM TABLE.

Discussion:

REP. BARNETT said he still opposed the bill.

REP. ROD MARSHALL stated he also still opposed the bill.

Vote: Motion carried to remove HB 574 from Table 12-6 with REPS. ELLINGSON, TUSS, EWER, LARSON, PAVLOVICH and COCCHIARELLA voting no.

Motion/Vote: REP. MILLS MOVED HB 574 DO PASS. Motion carried 12-6 with REPS. ELLINGSON, TUSS, EWER, LARSON, PAVLOVICH and COCCHIARELLA voting no.

EXECUTIVE ACTION ON SB 400

Motion: REP. BARNETT MOVED SB 400 BE CONCURRED IN.

Discussion:

REP. EWER stated he was concerned with the water temperature since this was a concern with the Board of Health also. Soaking in hot water can be injurious to the fetus of pregnant women. Chico Hot Springs does disclose this information with signs.

REP. MILLS said people with heart problems should also be conscientious of hot pools.

REP. OHS stated the temperature should remain as it is.

Vote: Motion carried on SB 400 18-0.

EXECUTIVE ACTION ON SB 80

Motion/Vote: REP. MILLS MOVED SB 80 BE CONCURRED IN. Motion carried 13-5 with REPS. PAVLOVICH, HERRON, LARSON, COCCHIARELLA and TUSS voting no.

Temperature Control in Commercial Hot Springs

Body Temperature Regulation in Heated Environments

The core human body temperature is maintained at 98-99 degrees Fahrenheit by the brain and circulatory (blood) systems. When the brain senses an increase in temperature, heated blood is shunted away from the internal organs to the body's surface. At the surface, heat is dissipated through the skin to the surrounding environment; this is what happens when we sweat. However, this regulating mechanism is overwhelmed when the body cannot lose its heat to its surroundings. Indeed, when the body is immersed in hot water, heat loss cannot occur and, instead, the body gains heat from the hot water. This heat is transported via the blood back into the body, thus raising the body's core temperature and causing more blood to be shunted away from internal organs back to the skin, where, in turn, it gets heated again-- "vicious cycle".

Adverse Health Effects

This shunting of heated blood not only raises the body's core temperature, but it can burden the heart and diminish blood flow to the brain. When blood flow to the brain decreases, heat stroke can occur; that is, the person becomes unconscious. If heat stroke occurs in a pool, the person can drown. Fatal heat stroke has occurred rapidly in healthy adults NOT drinking alcohol while sitting in hot pools kept at 106 degrees Fahrenheit or higher. Moreover, seizures can occur at temperatures of 106 degrees or higher, and irreversible brain damage generally begins at temperatures of 108 degrees or higher. In addition, one study has demonstrated a high incidence of birth defects when pregnant women are immersed in water at 102 degrees for more than 15 minutes.

These heat effects occur more rapidly in children, people with underlying illness (particularly heart disease or diabetes), and in those drinking alcohol or using medications that affect heat regulation or induce drowsiness.

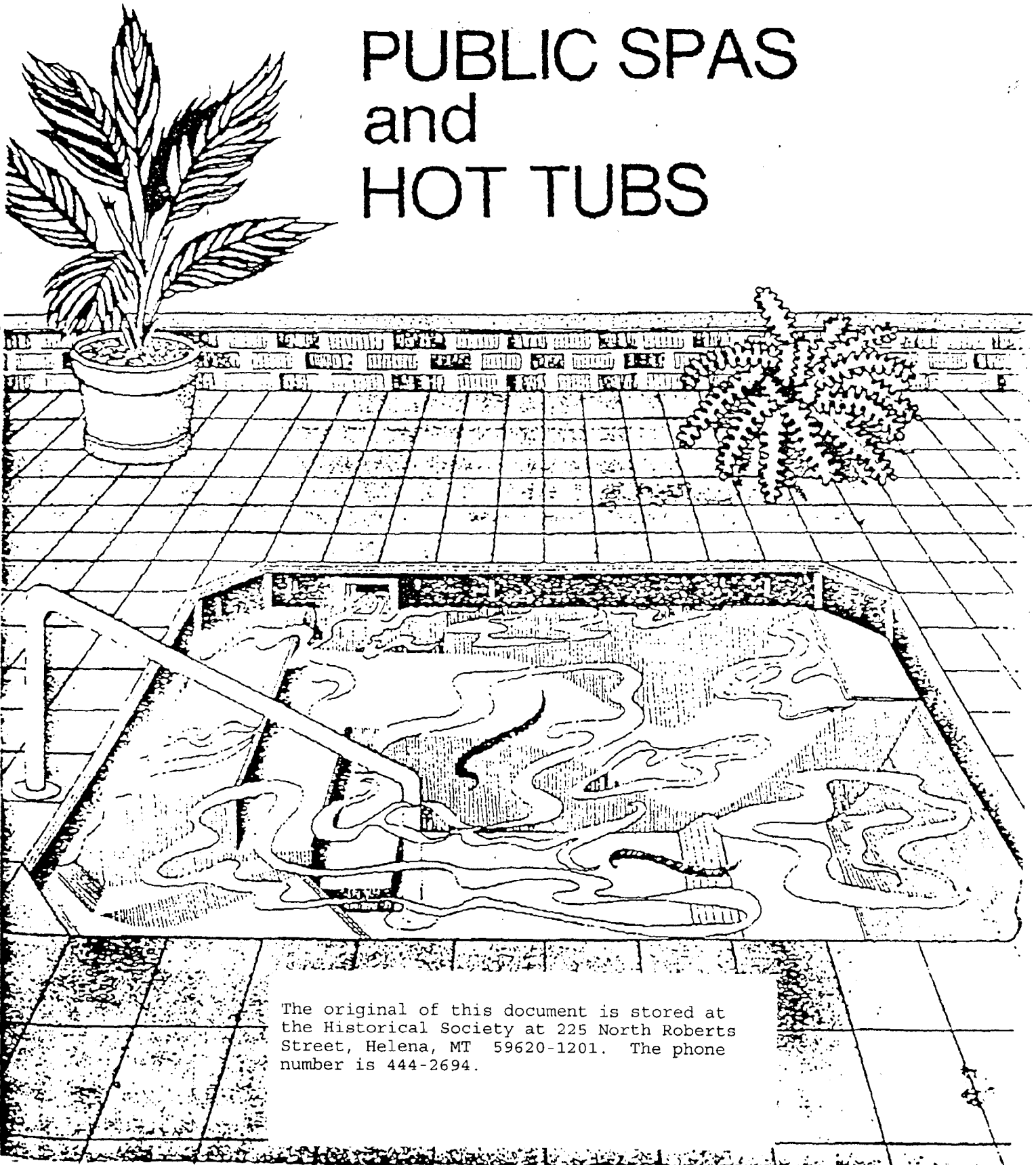
Temperature Standards for Spas and Commercial Hot Springs

Given the above, in hot spas and commercial flow-through hot springs, it is generally recommended that temperatures should not exceed 100-104 degrees. Some experts recommend an upper limit of 100-101 degrees for healthy adults. Moreover, bathing intervals should not exceed 20 minutes in duration. In addition, people should abstain from bathing or consult a physician before bathing if the bather falls into one of the high-risk categories described above.

The Consumer Product Safety Commission (CPSC), The National Spa and Pool Institute, The Centers for Disease Control (CDC), and the Boards of Health of the States of Washington, Oregon, California, Michigan, and Idaho all recommend a maximum temperature of 104 degrees.

Suggested Health and Safety Guidelines for

PUBLIC SPAS and HOT TUBS



The original of this document is stored at the Historical Society at 225 North Roberts Street, Helena, MT 59620-1201. The phone number is 444-2694.

HOUSE OF REPRESENTATIVES
VISITORS REGISTER

Business

DATE 3-7-95

BILL NO. SB 400 SPONSOR(S) _____

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NAME AND ADDRESS	REPRESENTING	Support	Oppose
GENE GURMUNDSON WHITE SULPHUR SPRINGS	MONTANA MINERAL HOT SPRINGS ASSOC.	✓	
John Chabery	Hot Springs Assoc.	✓	
Ronald Page	Bozeman Hot Springs	✓	
RAY HONAY	LOST TRAIL HOT SPRINGS SULF	✓	
Barb Reiter	BOULDER HOT SPRINGS	✓	
Glynneth Brunkoff	Jackson Hot Springs	✓	
Stuart Daggitt	MT Innkeepers Assoc.	✓	
BOB ROBINSON	DHES		✓
Don Jorgensen, MD	DHES		✓

PLEASE LEAVE PREPARED TESTIMONY WITH SECRETARY. WITNESS STATEMENT FORMS
ARE AVAILABLE IF YOU CARE TO SUBMIT WRITTEN TESTIMONY.

HOUSE OF REPRESENTATIVES

Business and Labor

ROLL CALL

DATE 3-7-95

NAME	PRESENT	ABSENT	EXCUSED
Rep. Bruce Simon, Chairman	X		
Rep. Norm Mills, Vice Chairman, Majority	X		
Rep. Bob Pavlovich, Vice Chairman, Minority	X		
Rep. Joe Barnett	X		
Rep. Vicki Cocchiarella	X		
Rep. Charles Devaney	X		
Rep. Jon Ellingson	X		
Rep. Alvin Ellis, Jr.	X		
Rep. David Ewer	X		
Rep. Rose Forbes	X		
Rep. Jack Herron	X		
Rep. Bob Keenan	X		
Rep. Don Larson	X		
Rep. Rod Marshall	X		
Rep. Jeanette McKee	X		
Rep. Karl Ohs	X		
Rep. Paul Sliter	X		
Rep. Carley Tuss	X		



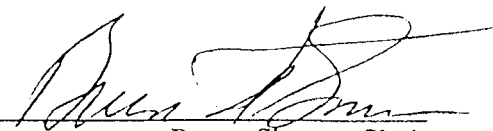
HOUSE STANDING COMMITTEE REPORT

March 7, 1995

Page 1 of 1

Mr. Speaker: We, the committee on **Business and Labor** report that **Senate Bill 400** (third reading copy -- blue) be concurred in.

Signed: _____


Bruce Simon, Chair

Carried by: Rep. Ohs

Committee Vote:
Yes 18, No 0.

531306SC.Hbk

SENATE BILL NO. 400

INTRODUCED BY GROSFIELD

BY REQUEST OF THE SENATE BUSINESS AND INDUSTRY COMMITTEE

A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING REQUIREMENTS FOR FLOW-THROUGH HOT SPRINGS POOLS; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

STATEMENT OF INTENT

A statement of intent is required for this bill because the bill gives the department of health and environmental sciences authority to adopt administrative rules. It is the intent of the legislature that in adopting rules to implement [section 1], the department consult with flow-through hot springs pool owners. The rules should set out standards for hot springs pools maintained at ~~or near 105~~ 106 degrees F OR LESS and used primarily for soaking, pools under 100 degrees F and used primarily for swimming, and shallow pools designed primarily for young children.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

NEW SECTION. **Section 1. Special requirements for flow-through hot springs pools.** In addition to the other requirements of this chapter and rules promulgated under this chapter, flow-through hot springs pools must meet the following requirements:

(1) The temperature of the pool water must be ~~less than 105~~ 106 degrees F OR LESS.

(2) The water must have sufficient clarity at all times so that a black disc, 6 inches in diameter, is readily visible when placed on a white field at the deepest point of the pool.

(3) The pool water must be maintained at a pH of no less than 7.2 and not greater than 8.5.

(4) The pool must provide sufficient water volume exchange to produce an 8-hour turnover of the entire volume of pool water to waste. In addition:

(a) the pool, and all surfaces that flow into the pool, must be drained, cleaned, and sanitized every 72 hours; or

(b) the pool must be disinfected, and a chlorine residual of 1 to 3 parts per million or a bromine residual of 3 to 6 parts per million must be maintained in the pool at all times.

1 (5) Signs must be prominently posted that specify pool rules and special health hazards associated
2 with swimming or bathing in flow-through hot springs pools. The contents of the signs must be determined
3 by department rule. The department, in developing rules under this section, shall consult with flow-through
4 hot springs pool owners.

5

6 NEW SECTION. **Section 2. Codification instruction.** [Section 1] is intended to be codified as an
7 integral part of Title 50, chapter 53, part 1, and the provisions of Title 50, chapter 53, part 1, apply to
8 [section 1].

9

10 NEW SECTION. **Section 3. Effective date.** [This act] is effective on passage and approval.

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